

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

ASTROPOWER LIQUIDATING TRUST, f/k/a	)	
ASTROPOWER, INC.,	)	
	)	
	Plaintiff,	
v.	)	C. A. No. 06-469 (JJF)
KPMG LLP,	)	
	Defendant	
	)	

**DEFENDANT KPMG LLP'S MOTION TO ENLARGE TIME TO  
ANSWER AMENDED COMPLAINT**

Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, defendant KPMG LLP ("KPMG") moves the Court to enlarge the time for KPMG to answer AstroPower Liquidating Trust f/k/a AstroPower, Inc.'s ("AstroPower's") Amended Complaint [D.I. 6].

**RELIEF REQUESTED**

AstroPower filed its initial complaint on July 31, 2006. [D.I. 1.] AstroPower amended its complaint (the "Amended Complaint") on October 10, 2006. [D.I. 6.] On December 12, 2006, KPMG filed its motion to dismiss (the "Motion to Dismiss"). [D.I. 9.] On May 25, 2007, the Court entered an order denying KPMG's Motion to Dismiss. [D.I. 22.] Pursuant to Rule 12 of the Federal Rules of Civil Procedure, KPMG's answer to the Amended Complaint is due June 11, 2007.

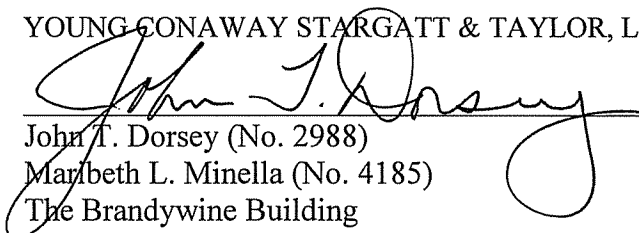
KPMG hereby requests that the Court extend the deadline for KPMG to answer AstroPower's Amended Complaint by two weeks, to June 25, 2007. This extension is not sought for purposes of delay or to prejudice any party, but rather so that justice may be done. KPMG has consulted with counsel for AstroPower, and AstroPower does not object to this request.

**CONCLUSION**

For the foregoing reason, the parties request that the Court extend the deadline for KPMG to answer AstroPower's Amended Complaint from June 11, 2007 to June 25, 2007, and grant such further relief that this Court deems just.

Respectfully submitted,

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*Counsel to KPMG LLP*

Dated: June 8, 2007

**CERTIFICATE PURSUANT TO D. DEL. LR 7.1.1**

I, Michael D. Warden, hereby certify that on the 7th day of June 2007, I conferred with Phil Appenzeller and Ross Parker, counsel for plaintiff AstroPower Liquidating Trust f/k/a AstroPower, Inc. ("AstroPower"), who stated that plaintiff consents to extending the deadline for KPMG LLP to answer AstroPower's Amended Complaint from June 11, 2007 to June 25, 2007.

/s/ Michael D. Warden

Michael D. Warden

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ASTROPOWER LIQUIDATING TRUST, f/k/a	)	
ASTROPOWER, INC.,	)	
	)	
	Plaintiff,	
v.	)	C. A. No. 06-469 (JJF)
KPMG LLP,	)	
	Defendant	Re: Docket No.

**ORDER EXTENDING DEADLINE FOR KPMG  
TO ANSWER AMENDED COMPLAINT**

The Court, having considered the Joint Motion to Enlarge Time for KPMG<sup>1</sup> to Answer Amended Complaint (the "Motion"), finds that the Motion has merit and should be GRANTED.

IT IS THEREFORE ORDERED this \_\_\_\_\_ day of \_\_\_\_\_ 2007 that the deadline for KPMG to answer the Amended Complaint is extended from June 11, 2007 to June 25, 2007.

\_\_\_\_\_  
The Honorable Joseph J. Farnan, Jr.  
United States District Court Judge

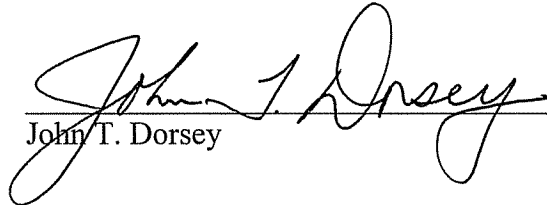
<sup>1</sup> All capitalized terms not defined herein shall have the meanings ascribed to them in the Motion.

**CERTIFICATE OF SERVICE**

I, John T. Dorsey, Esquire, hereby certify that on this 8<sup>th</sup> day of June 2007, I caused a true and correct copy of the **Motion to Enlarge Time to Answer Amended Complaint** to be filed with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

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I further certify that I have served the parties listed on the service list below in the manner indicated.

  
John T. Dorsey

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